HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.23723 OF 2006

Between:

Shri C.Venkataramana

. . .Petitioner

AND

The Alwal Municipality and others

. . .Respondents

:: ORDER ::

Counsel for the Petitioner : Shri V.V.N.Chary
for Shri S.Niranjan Reddy

15th November, 2006

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PER G.S.SINGHVI, CJ

In this petition, the petitioner has made the following substantive prayer:

> " It is therefore prayed that this Hon'ble Court may be pleased to issue a Writ of "Mandamus" or any other writ, order or direction declaring the action of the 1st respondent in not discharging its duties under the A.P. Municipalities Act, 1965 and in not pursuing any diligent action or taking steps for the demolition of illegal construction being made by the 2nd and 3rd respondents in house no.33-29, RTC Nagar Colony, Tirumalgerry, Secunderabad and also in not directing the 2nd and 3rd respondents not to make construction deviating from the sanction plan by converting the independent house permission to residential apartment as being illegal, arbitrary, unconstitutional and contrary to the provisions of A.P. Municipalities Act, 1965 and consequently direct the 1st respondent to demolish the illegal construction made by the 2nd and 3rd respondents in the said premises."

After arguing the case for some time, Shri V.V.N.Chary made a request that his client may be permitted to withdraw the writ petition with liberty to pursue remedy in the pending suit.

The request of the learned counsel is accepted and the writ petition is dismissed as withdrawn with liberty in terms of the prayer made.

As a sequel to dismissal of the main petition, W.P.M.P.Nos.30251 and 30250 of 2006 filed by the petitioner for interim relief are also dismissed.

G.S.SINGHVI, CJ

C.V.NAGARJUNA REDDY, J

Date: 15.11.2006

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